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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,236	03/16/2001	William Michael Zintel	MS1-740US	3127

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EXAMINER

PRIETO, BEATRIZ

ART UNIT PAPER NUMBER

2142

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/811,236

Applicant(s)

ZINTEL ET AL.

Examiner

Prieto B.

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-27, 63-71, claims 73-83 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 65, 66 and 77-83 is/are allowed.
- 6) ☒ Claim(s) 25-27, 63, 64, 67-71, 75 and 76 is/are rejected.
- 7) ☒ Claim(s) 73 and 74 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

1. This communication is in response to amendment filed 09/08/05, claims 25 and 65 have been amended, claims 1-25, 28-62, and 72 have been canceled, and claims 73-83 have been added.
2. Claims 73-74 (being the same as former claims 65-66) are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 25 and 65 as amended have overcome the previously applied Humpleman reference.
3. Claim 65 is allowed thereby its dependent claims (66 and 77-83) by virtue of dependency.
4. Quotation of the appropriate paragraphs of the 35 USC 103(a) that form the basis for the rejection under this section made be found in previous office action, incorporated hereby by reference.
5. Claims 25-27, 63-64, 67-71, and 75-76 are rejected under 35 USC 103(a) as being unpatentable over by Humpleman et. al. US 6,546,419 B1 (referred to as Humpleman hereafter) in view of Yang et. al. (US 2002/0083030) (Yang hereafter).

Regarding claim 25, a method stored on a computer-readable recording medium, the method for accessing a "user-selectable" service on a controlled device (14) coupled to an "ad hoc" network (10) (services: col 4/line 64-col 5/line 4, 57-59, network: col 4/lines 32-40) comprising:

creating a definition describing the controlled device, the definition using XML (definition: col 12/lines 35-45, XML: col 13/lines 9-17, definition: col 12/lines 11-45);

storing the definition on computer-readable storage medium (col 5/lines 24-32);

identifying a set of "states" data in a "service state" table stored on the controlled device in accordance with the definition of the service (attributes and capability data of the device: col 9/lines 20-26, col 9/line 52-col 10/line 8, tables on 1 & 2 and Figs. 10 & 11);

determining a set of commands to control and access the service, said command in accordance with the definition of the service (commands: col 14/lines 6-10, 48-60, command set: col 5/lines 40-45 and command library: col 7/lines 24-30), and to update said states (col 9/lines 26-33);

generating a “service control protocol” set of rules definition to support interaction with the services on the controlled device, said service control protocol including network “messages” calls having content data and a sequence (e.g. action/request and response) for interacting with said service thereon (method call/message: col 13/lines 9-17, set of rules col 13/lines 46-56, protocol: XML Remote Procedure Call (RPC) or XMLRPC messages, col 13/lines 46-56); and however Humpleman does not teach generating a message when the service table changes and transmitting said message to multiple destinations.

Yang in disclosure pertaining the distributed computing devices and services (e.g. information provider services), teaches generating a message broadcasted to multiple destinations (servers 205) when the state table (407) changes [0015], the message comprising a notification event [0021, 0023], sending the event to multiple servers [0033, and claim 1].

It would have been obvious at the time the invention was made given the suggestion of Humpleman that the table is available to other devices on the network to facilitate interoperability. One of ordinary skill would be motivated given the suggestions of Yang that the message can be any type of message and the information provided is not limited to state information, to update a state change table and propagate changes of state either pushed or pulled to other devices eliminating inconsistencies and reducing latency supporting Humpleman’s interoperability objective.

Regarding claim 26, said storing on the controlled device (Humpleman: col 15/line 39-49).

Regarding claim 27, said storing remotely from the controlled device (Humpleman: stored on another device, Hub or library searchable over the Internet see col 16/lines 39-58, or distributed, i.e. remotely from device see col 17/lines 20-25).

(Canceled 28-62)

Regarding claim 63, the service control protocol comprises different definition items, having different labels (“wire protocol”, “sequence” and “content”) (col 12/lines 35-45, col 13/lines 9-17).

Regarding claim 64, manufacturer, model name, and model description (see table 2 on Fig. 11 and col 11/lines 24-49).

Regarding claim 67, a definition or description includes a service element, i.e. description describes the attributes and the services provided by the controlled device (description of the service capabilities and attributes (Humpleman: col 12/lines 35-45, col 13/lines 1-17, attributes and capabilities together col 10/lines 17-18, 50-55 as an application interface in XML language).

Regarding claim 68, said second set of XML-base code strings that define the services (capabilities) exposed by the controlled device further comprise: an element (called "message type") (col 10/lines 44-48 a XMLRPC message has a method name, parameters name and type: col 16/lines 18-19);

an address element (called "control URL") (action/responses messages col 15/lines 6-8);

an event element (called "Subscription URL") (occurrence of an action col 18/lines 51-55);

an element that includes an arrangement (called "contract"), e.g. a communication messaging protocol to define the interaction with the services provided "exposed" by the device said calls (CALL.DTD which describes the interaction (message exchange), col 13/Lines 9-17, the services available, wherein the CALL.DTD definition includes a rule set for generating method call or function call message, such as XML Remote Procedure Call (RPC) or XMLRPC messages col 13/lines 46-56).

Regarding claims 69-71, the service control definition includes comprising an XML document (col 12/lines 46-54) comprising strings (i.e. sequence of characters) (col 9/lines 44-57 and col 10/lines 47-49), including attribute and/or capabilities tables "state table" having values "variable" representing the conditions or characteristics, i.e. "state" of the controlled device (col 9/lines 20-26, col 9/line 52-col 10/line 8, tables on 1 & 2 and Figs. 10 & 11), "root" name element (col 16/lines 44-50), action list element comprising the name of an "action" (control list action in said XML document: col 13/lines 57-col 14/line 5).

(Canceled claim 72)

Regarding claim 75, wherein the controlled device is configured with by performing an event notification to synchronize the controlled device to reflect the state change [Yang: 0015].

Regarding claim 76, this method claim comprises substantially the same limitations discussed on the method claim 25, where the aforementioned "event message" is here called "event notification", same rationale of rejection is applicable. Further, the applied prior art teaches: generating a notification event

broadcasted to multiple destinations when the state table changes [0021, 0023], sending the event to multiple servers [0033, and claim 1].

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
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Alexandria, VA 22313-1450

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B. Prieto
Primary Examiner
TC 2100
November 20, 2005


BEATRIZ PRIETO
PRIMARY EXAMINER